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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,777	10/16/2001	David B. Annan	11465.1	6684

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EXAMINER	
PHAM, TUAN	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,777	ANNAN ET AL.	
	Examiner	Art Unit	
	TUAN A PHAM	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-5, and 7-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Bottum (U.S. Patent No.: 6,014,569).

Regarding claim 1, Bottum teaches a method of retrieving information content wherein the method comprises the steps of (see figure 1):

configuring a system by assigning access codes (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

communicating the access code and a mobile identification number (i.e., ID data) from an originator to an information content provider (i.e., audio data provider) using call setup information (see figure 1, col.3, ln.54-67);

determining and transmitting the information content (see col.5, ln.13-49); and

receiving the information content from the information content provider (see col.3, ln.54-67).

Regarding claim 2, Bottum further teaches the method wherein the step of configuring a system which contains information content comprises the steps of:

contacting an information content provider; selecting desired information options; and assigning an access code to the information option (see col.5, ln.13-67).

Regarding claim 3, Bottum further teaches the method wherein the step of contacting the information content provider comprises the steps of: obtaining access authorization from the information content provider and accessing an information content provider terminal through a local and global computer network (see col.4, ln.22-33).

Regarding claim 4, Bottum further teaches the method wherein the step of communicating an access code to an information content provider comprises the steps of: entering the access code into a communication device and electronically transmitting the access code to the information content provider (see col.3, ln.54-66).

Regarding claim 5, Bottum further teaches the method wherein the step of electronically transmitting the access code to the information provider comprises the steps of: transmitting the access code and mobile identification number to a mobile switching center; and the mobile switching center: receiving the access code and mobile identification number; identifying transmission originator identification; determining the location of the originator; and transmitting the access code, the originator identification, and the location of the originator to the information content provider (see figure 1, wireless system 120, col.3, ln.54-67. col.5, ln.19-49).

Regarding claim 7, Bottum further teaches the method wherein the step of determining and transmitting the information requested comprises the steps of: receiving the access code from a mobile switching center; processing the access code;

retrieving the information associated with the access code; converting the information associated with the access code into audible speech; and transmitting the converted audible speech through a telephone network (see col.3, ln.54-67, col.5, ln.13-67).

Regarding claim 8, Bottum further teaches the method wherein the step of receiving information from an information content provider comprises the steps of: transmitting audible information content requested by an originator through a public switch telephone network; receiving the audible information content by a mobile switching center (i.e., wireless system); and transmitting the audible information from the mobile switching center to an originator (see figure 1, wireless system 120, col.4, ln.22-33, col.5, ln.19-67).

Regarding claim 9, Bottum further teaches the method wherein the step of receiving the audible information content by a mobile switching center comprises the steps of: receiving a telephone call from the information content provider through a public switch telephone network; receiving and processing originator information; and receiving the audible information content (see col.4, ln.22-32, col.6, ln.12-47).

Regarding claim 10, Bottum further teaches the method wherein the step of receiving and processing originator information comprises the steps of: receiving an originator mobile identification number; receiving originator location information; receiving dialing instructions from the internet content provider; and preparing the audible information for wireless transmission to the originator (see col.5, ln.19-49, col.6, ln.1-47).

Regarding claim 11, Bottum teaches a method of delivering information content from an information content provider wherein the method comprises the steps of (see figure 1):

designating information option codes (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

receiving the option codes and transmission origination information (i.e., ID data) through a wireless transmission without the prior establishment of a voice-grade connection (see figure 1, col.3, ln.54-67);

locating the originator of the wireless transmission (see col.6, ln.1-47); and

transmitting the information content to the originator (see col.6, ln.1-47).

Regarding claim 12, Bottum further teaches the method wherein the step of designating information option codes comprises the steps of: accessing the information content provider through a local or global computer network; selecting the option codes which correspond to desired information from a menu; and assigning new option codes to the desired information as preferred (see col.3, ln.54-67, col.4, ln.22-34).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 6, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum (U.S. Patent No.: 6,014,569) in view of Scherer (U.S. Patent No.: 6,411,692).

Regarding claim 6, Bottum teaches a method of retrieving information content wherein the method comprises the steps of (see figure 1):

configuring a system by assigning access codes (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

communicating the access code and a mobile identification number (i.e., ID data) from an originator to an information content provider (i.e., audio data provider) using call setup information (see figure 1, col.3, ln.54-67);

determining and transmitting the information content (see col.5, ln.13-49);

receiving the information content from the information content provider (see col.3, ln.54-67);

the step of communicating an access code to an information content provider comprises the steps of: entering the access code into a communication device and electronically transmitting the access code to the information content provider (see col.3, ln.54-66); and

the step of electronically transmitting the access code to the information provider comprises the steps of: transmitting the access code and mobile identification number to a mobile switching center; and the mobile switching center: receiving the access code and mobile identification number; identifying transmission originator identification; determining the location of the originator; and transmitting the access code, the originator identification, and the location of the originator to the information content provider (see figure 1, wireless system 120, col.3, ln.54-67. col.5, ln.19-49).

It should be noticed that Bottum fails to clearly teach the mobile switching center transmits to the information content provider through an SS7 network. However, Scherer teaches such features (see col.10, ln.20-47) for a purpose of routing the data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the system wherein the

nonwireless network is an SS7 network, as taught by Bottum and Leuce, into view of Scherer in order to provide fast service and non interrupt to the existing communication.

Regarding claim 13, Bottum teaches a method of delivering information content from an information content provider wherein the method comprises the steps of (see figure 1):

designating information option codes (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

receiving the option codes and transmission origination information (i.e., ID data) through a wireless transmission without the prior establishment of a voice-grade connection (see figure 1, col.3, ln.54-67);

locating the originator of the wireless transmission (see col.6, ln.1-47);

transmitting the information content to the originator (see col.6, ln.1-47); and

processing the message to identify and locate the originator of the wireless transmission (see col.6, ln.1-47).

It should be noticed that Bottum fails to teach the step of receiving the option codes and transmission origination information through a wireless transmission comprises the steps of: establishing a service control point for receiving and processing transmission information transmitted through an SS7 network; and receiving the service control information through messages through the SS7 network. However, Scherer teaches such features (see col.10, ln.20-47) for a purpose of routing the data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the step of receiving the option

codes and transmission origination information through a wireless transmission comprises the steps of: establishing a service control point for receiving and processing transmission information transmitted through an SS7 network; and receiving the service control information through messages through the SS7 network, as taught by Scherer, into view of Bottum in order to provide fast service and non interrupt to the existing communication.

Regarding claim 14, Scherer further teaches the method wherein the step of locating the originator of the wireless transmission comprises the steps of: receiving the transmission origination information through an SS7 network; processing the transmission origination information; and calculating the most direct network route from the information content provider to the transmission originator location (see col.2, ln.30-39, col.10, ln.20-47).

Regarding claim 15, Bottum further teaches the method wherein the step of processing the transmission origination information comprises the steps of: receiving a mobile information number associated with the transmission originator; verifying access authorization for the originator using the mobile information number; and retrieving a telephone number associated with the originator mobile information number (see figure 3, col.5, ln.13-67, col.6, ln.1-47).

Regarding claim 16, Bottum further teaches the method wherein the step of transmitting the information content to the originator comprises the steps of: retrieving the information associated with the option codes; dialing the telephone number associated with the originator mobile information number; and transmitting the

information associated with the option codes to originator (see figure 3, col.5, ln.13-67, col.6, ln.1-47).

Regarding claim 17, Bottum further teaches the method wherein the step of transmitting the information associated with the option codes comprises the steps of: converting the information to audible speech information; initiating a telephone call to the telephone number; transmitting the audible speech information through a public switch telephone network; and disengaging the telephone call when the information has been transmitted (see figure 3, col.5, ln.13-67, col.6, ln.1-47).

5. Claims 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum (U.S. Patent No.: 6,014,569) in view of Leuca et al. (Pub. No.: U.S. 2002/0110230, hereinafter, "Leuca").

Regarding claim 18, Bottun teaches a system for delivering information using a wireless telephone network comprising:

means for configuring a system wherein desired information corresponds to a selectable code (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

a first receiving and transmitting means (i.e., mobile interactive radio)(see figure 1, mobile interactive radio 150) for wireless transmission of the selectable code to a second wireless signal (i.e., base station) receiving and transmitting means (see figure 1, wireless system 120, col.3, ln.54-67, it should be noticed that the wireless system comprises base station and MSC);

the second wireless signal receiving and transmitting means for receiving the selectable code and transmitting the selectable code to a wireless signal switching means (see figure 1, wireless system 120, col.5, ln.14-67, col.6, ln.1-46, it should be noticed that the wireless system comprises base station and MSC); and

the wireless signal switching means for receiving the selectable code from the second transmission means and transmitting the selectable code to the information provider, wherein the information provider transmits the desired information corresponding to the selectable code to the first receiving and transmitting means (see figure 1, audio data provider 110, mobile interactive radio 150, col.5, ln.14-67, col.6, ln.1-46, it should be noticed that the wireless system comprises base station and MSC).

It should be noticed that Bottun fails to clearly teach base station and MSC in wireless system. However, Leuca teaches such features (see figure 2, BS 120, MSC 130) for a purpose of communicating in wireless fashion.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of base station and MSC in wireless system, as taught by Leuca, into view of Bottum in order to communicate in wireless fashion.

Regarding claim 19, Leuca further teaches the system wherein the wireless signal switching means is a mobile switching center (see figure 2, MSC 130, col.1, [0006]).

Regarding claim 20, Bottum further teaches the system wherein the first receiving and transmitting means is a mobile telephone (see figure 2, mobile radio 200).

Regarding claim 21, Bottum teaches the method a system for delivering information using a wireless telephone network comprising (see figure 1):

means for configuring a system wherein desired information corresponds to a selectable code (see col.3, ln.60-67, col.5, ln.50-67, user can access to service provider to configure the code or password);

a first receiving and transmitting means (i.e., mobile interactive radio) for wireless transmission of a signal corresponding to the selectable code to a signal receiving and transmitting site (see col.3, ln.54-67);

a second wireless means (i.e., base station) for receiving the selectable code signal and transmitting the selectable code signal to a wireless signal switching means (i.e. MSC)(see figure 1, wireless system 120, it should be noticed that the wireless system comprises base station and MSC); the wireless signal switching means for receiving the selectable code signal from the second transmission means and transmitting the selectable code to a wireless-nonwireless interface (i.e., PSTN interface) (see col.4, ln.1-47); the wireless-nonwireless interface capable of receiving the wireless selectable code signal and converting the wireless selectable code signal to a nonwireless selectable code signal and transmitting the nonwireless signal through a nonwireless network to the information provider (see figure 1, col.2, ln.61-67, col.4, ln.1-34, one skill in the art should be noticed that the wireless and wire line are support different protocol, in order to transmits the data from wireless platform to wire line platform the data should be converted), wherein the information provider transmits the desired information corresponding to the selectable code to the first receiving and

transmitting means (see figure 1, audio data provider 110, mobile interactive radio 150, col.5, ln.14-67, col.6, ln.1-46).

It should be noticed that Bottun fails to clearly teach base station and MSC in wireless system. However, Leuca teaches such features (see figure 2, BS 120, MSC 130) for a purpose of communicating in wireless fashion.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of base station and MSC in wireless system, as taught by Leuca, into view of Bottum in order to communicate in wireless fashion.

Regarding claim 22, Bottum further teaches the method wherein the nonwireless network is a TCP/IP network (i.e., protocol)(see col.4, ln.22-32).

Regarding claim 23, Leuca further teaches the wireless signal switching means is a mobile switching center (see figure 2, MSC 130).

Regarding claim 24, Bottum further teaches the method said first receiving and transmitting means is a mobile telephone (see figure 2, mobile radio 200).

6. Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bottum (U.S. Patent No.: 6,014,569) in view of Leuca et al. (Pub. No.: U.S. 2002/0110230, hereinafter, "Leuca") as applied to claim 18 above, and further in view of Scherer (U.S. Patent No.: 6,411,692).

Regarding claim 25, Bottum and Leuca, in combination, fails to clearly teach the system wherein the nonwireless network is an SS7 network. However, Scherer teaches such features (see col.10, ln.20-47) for a purpose of routing the data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the system wherein the nonwireless network is an SS7 network, as taught by Bottum and Leuce, into view of Scherer in order to provide fast service and non interrupt to the existing communication.

Regarding claim 26, Leuca further teaches the system wherein the wireless signal switching means is a mobile switching center (see figure 2, MSC 130).

Regarding claim 27, Leuca further teaches the system wherein the first receiving and transmitting means is a mobile telephone (see figure 2, MS 110).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Kennedy, III et al. (U.S. Patent No. 6,535,743), Moles et al. (U.S. Patent No. 6,775,285), Malackowski et al. (U.S. Patent No. 6,411,803), and Helferich (U.S. Patent No. 6,259892) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method of providing service information to a subscriber through a wireless device.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

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Art Unit 2643
September 23, 2004
Examiner

Tuan Pham

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